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ABSTRACT

School board members are often faced with situations in which their positions of power and influence present opportunities for inappropriate gain. Sometimes the goals of the district conflict with personal agendas. The feature article of this publication describes how to recognize the situations that have the potential to jeopardize board members' ethical behavior. It also offers a sample code of ethics for school board members. The code would serve not only to reduce the risk of unethical behavior but to reinforce the bonds of professional cooperation. (LIM)

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National Education Policy Network

School Board Policies

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As new Maple Valley board member Bill is watching his son play in an organized baseball game, one of Bill's friends, Charlie, asks Bill for a personal favor. He would like his daughter to be placed in an advanced placement class and he feels that if Bill would exert some pressure on the teachers that his daughter could be in her proper class. What should Bill do?

The scene described here may not appear to present a profound ethical dilemma. This situation, and thousands like it, occur on a daily basis. How school board members react to these situations can make all the difference in how properly, or not, they perform their jobs.

The brief story about Bill is an example of how a board member can become involved in practicing favoritism. Occasionally positions of power and influence — like school board service — present opportunities for inappropriate gain. In recent years, the politicization of curriculum has made it much more difficult for board members to remain objective and diplomatic in determining what curricula will be most beneficial for the district's students. These kinds of practices, if handled without care and good judgement, often result in undermining board efforts to improve the school system. Essentially, ethical problems can arise wherever the possibility exists for inappropriate uses of power or when the goals of the school district are replaced by personal agendas. The trick is to recognize the situations that can place one's ethical behavior in jeopardy so temptations to misuse power and the public trust can be avoided. Unfortunately the signs are not always that easily identified and reminders are needed from which the board member can turn for guidance.

Anytime the possibility for inappropriate uses of power exist ethical problems can and do arise. Individuals charged with engendering the public trust must know how to recognize these situations if they are to maintain that trust.

What are Ethics?

Webster's Third New International Dictionary defines *ethics* as the discipline dealing with what is good and bad or right and wrong or with moral duty and obligation; a group of moral principles or a set of values; the principles of conduct governing an individual or a profession; standards of behavior; character or the ideals of character. But does this definition remain constant over time? The ancient Greeks believed virtue and moral excellence were synonymous and that ordinary citizens and political leaders could and should exhibit the same kind of behaviors. Although arguments could be made to refute their claim, for obvious reasons we probably hope that this ideal is or can be true. So, is the answer to the first question, true? How about answering it with a resounding, maybe. Although what is considered virtuous and moral has probably changed little since the Greeks attributed meaning to ethical behavior, the culture of different societies in both place and time certainly have an effect on the accepted meaning of ethical behavior. In spite of numerous ethical discourses and essays over the millennia, universal education and the basis for it, for example, was hardly considered practical by large numbers of persons until the nineteenth century. Having introduced elements of Greek idealism into this article, however, begs me to ask my original question in another way:

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Are professional ethics fundamentally the same as personal ethics or are they unique? Most persons would agree that the key elements of an ethical life to which we all aspire include compassion, fairness, integrity, and moral courage. And, these elements also are believed to be key in a professional life. After all, lawyers, doctors and, yes, school executives who do not exhibit these traits are regarded as poor professionals and even incomplete persons. However, professional life does bring with it ethical concerns that do not present themselves in private life. Assuming responsibilities that will have far-reaching, long-term effects on a large number of "other" people can be a daunting task. Because they make decisions every day that will determine what students learn, how well they are prepared for careers or life in general, school boards must pay particularly careful attention to the kinds of decisions they make. Behaving differently could, and at times has, cheated students and the community at-large of the expectations for a school system that would serve their needs.

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Ethics in Education

Key elements of an ethical life include compassion, fairness, integrity, and moral courage. Can these qualities exist for us personally but take on different meaning in our professional lives?

Over the last twenty odd years we have experienced a series of scandals involving professional and personal misbehavior involving national and world leaders. Charges of misconduct, untruthfulness, deception and questionable ethical standards seem to appear with frightening frequency. It is both the numbers and the persons involved that has captured our attention. When persons generally regarded as trustworthy — religious leaders, political leaders, jurists, educators — are shown to be untrustworthy and/or unprincipled, public concern develops about the reliability of all leaders in the society. Local figures are not immune from this suspicious view of leaders and school officials, unfortunately, fall into this category.

Probably because the education of the next generation is such a noble, if not always revered, undertaking, we want to believe that everyone in education is ethical. But that isn't always true. To understand this we only have to consider the politically minded board member who's self-promotion ignores everything else; the school administrator who sees nothing wrong in borrowing from the schools' petty cash fund until the next pay day; the board member who urges colleagues to conduct school business with a text book manufacturer who regularly treats her to personal gifts, dinners and nights out on the town. Sometimes unethical behavior goes beyond simple breaches of conduct and school officials break the law. Fortunately, this serious ethical misbehavior isn't the norm but the breaking of more common, yet subtle, ethical questions can develop into more serious transgressions. For this reason, the board member needs to be aware of any possibility of behaving unethically so as not to betray the public's trust and confidence in his or her abilities to represent its best interests.

Problems exist that effect making that one "right" ethical choice a simple black or white decision. In education there exist competing standards of goodness. There isn't just one good way. For example, good educational practice is to do what is good for the student, what is in their best interest, but consideration of community members and administrators sometimes forces board members to juggle what's right for the kids. What's practical for the administrators, and what's going to make parents and other members of the community happy doesn't always allow school boards to make decisions that are slanted heavily in favor of the students. Likewise, superintendents must consider staff concerns and board expectations when deciding what also is best for students. Board member Bill, for instance, may wish to help his friend Charlie as both a friend and a constituent in his school district. However, the rules and regulations that constrain the actions of the administrators and teachers involved in making determinations about advanced classes eligibility and placement must also be considered when Bill decides how he'll respond to Charlie's request.

A second problem revolves around today's decline in accepting personal moral responsibility. ***If it's legal, it's ethical*** is an attitude that seemingly pervades every area of our society. Examples of this casual sloughing-off of

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personal responsibility appears daily on the evening news. As members of society, we seem to have abandoned our responsibility to make moral judgements, more often deferring to legal mechanisms for answers.

Perhaps a solution to these problems is to establish a clearer sense of what is right or wrong through education. Although it can be argued that no single definitive answer exists to ethics problems, this strategy may work. Teaching ethics in the university as a core course across all disciplines may be one solution. Specifically requiring everyone that works in the field of education — teachers, administrators, school board members — to take coursework in ethics before assuming their positions is another. Arguments have been made stating that ethics programs should begin at the elementary school level most commonly taking the form of character education. Whatever method is selected to better inform and equip society for ethical behavior, school boards should proactively pursue ethical behavior by including ongoing discussions of ethics as part of their personal and professional development activities. Periodically stating what is right and wrong during executive sessions or board retreats, for example, can keep boards focused on ethical practices in their decision making and will assist them in discovering ethical ways of working toward solutions to issues.

The Ethical and Effective Board Member

Ethics and effectiveness. These are two different things, but they go hand-in-hand. Personal ethics form the basis for a code of behavior by which persons conduct themselves. If personal actions are guided by a sound code of ethics, chances are good that the individual will be an effective board member, capable of producing useful results. To this end, a code of ethics for school board members should be established by every school board. And it must begin with a genuine commitment to strive for high quality public education that supports the full development of all children. The code involves an understanding of the strengths of both the nation and the community served by the school district including its freedoms, its racial, ethnic, and religious diversity, and its commitment to education excellence and equity for all children. Board members must be committed to working effectively with others to do this. Saying they're committed, however, is not enough. Board member's actions must speak loudly in support of their commitment. They have got to do things that reveal their commitment: doing their homework before board meetings; keeping abreast of current educational issues; learning how to get and present facts; devoting sufficient time, thought and study to issues and proposals; considering alternatives; encouraging ideas and opinions from students, staff, and citizens in the community; working with the rest of the board to establish effective board policy; establishing fair and equitable terms and conditions of employment and employee evaluation; selecting sound instructional strategies and materials; setting high expectations for board work; and, advocating for children and focusing on the best interests of children.

School boards need to develop their own code of ethics, not only to reduce the risk of unethical behavior, but to reinforce the bonds of professional cooperation needed in any organization.

The Code of Ethics

Most school districts have adopted codes of conduct that are merely lists of things board members and superintendents should not do. Ethical standards need to be more than a description of potential conflicts of interest and use of influence, however. Board members need to develop codes of ethics that recognize the need to teach, learn and conduct their lives in ways they want their children to follow. A set of ethical standards for a school district should, above all, reflect the educational welfare of students as its greatest concern, and might include an oath of office for school board members that clearly states the board member is not obligated to any special interest.

School boards need to develop their own code of ethics, not only to reduce the risk of unethical conduct, but to reinforce the bonds of professional cooperation so sorely needed in any organization. From the beginning, the board needs to recognize that the process can be rewarding but it is often difficult. This happens because people resent the implication that they need to be instructed in what's right and wrong. It also happens because ethical issues, by their nature, can be and frequently are controversial. However, attempts to reach consensus on basic professional responsibilities has a way of reinforcing, in general, commitment to ethical conduct. And the increased awareness it brings to the group will help lessen the chance of stumbling into unethical behaviors.

Once the school board decides to go forward with a code, it should form a Code of Ethics Task Force that includes the superintendent and deputy superintendent, the school attorney, principals, board members and representatives of the teachers' union to begin working on this important and necessary project. It is important to assemble a task force with such broad membership so it may benefit from as varied an experience pool as possible. It also is important to do this in order to get all of the groups affected by the Code to more willingly embrace the final product.

School employees should be interviewed to assess core values and areas of potential ethical risks. As the initiative progresses, the Task Force and the school board might find it helpful to include the views of additional staff members, parents, students and even members of the business community who regularly provide services to

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schools. Including these persons in the process can provide a series of reality checks on the Code development initiative and foster a sense of ownership of the Code of Ethics beyond the ranks of school officials. School executives need to have the ability to bring their ethical concerns to the discussions and also should be included in the process.

Putting all of this together may not be an easy task but once completed the board will have a document it and all those persons involved with the schools will be able to look to for direction.

The following Code of Ethics was developed by the National School Boards Association (NSBA). It is a good example of what a Code of Ethics should include and features realistic ideals of ethical behavior for school board members without forgetting that the interests of the children always comes first: [Note: School board members would be asked to sign the district's Code of Ethics thereby confirming their commitment to its standards.]

* * * * *

Code of Ethics
For School Board Members

As a member of my local school board of education I will strive to improve public education, and to that end I will:

- Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;
- Render all decisions based on the available facts and my independent judgement, and refuse to surrender that judgement to individuals or special interest groups;
- Encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;
- Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
- Communicate to other board members and the superintendent expressions of public reaction to board policies and school programs;
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards association;
- Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- Avoid being placed in a position of conflict of interest, and refrain from using my board position for personal or partisan gain;
- Take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; AND
- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

* * * * *

The development and practical application of ethical standards are both challenging and continually changing. Regularly visiting the boards code of conduct, making revisions where needed and re-establishing commitment to the standards that apply across time is especially important in making certain that ethical standards are followed and the responsibilities of the school board are fulfilled.

Some Easy Rules to Remember

In order to test whether or not board members are in compliance with the Code of Ethics the board and others have developed they'll need to ask themselves some questions. No matter what others they pose, however, the following three questions, or ones like them, should be asked each time they find themselves caught in an ethical dilemma:

1. ***Is the action I am considering legal?*** If the action the board member is about to take is against school district policy or the law, do not proceed. Illegal activity places the board member in an insupportable position and usually results in causing others to unfairly share blame. This should always be a relatively simple choice.
2. ***Will my action provide balance and fairness?*** Make certain that decisions made as a board member are fair to all parties concerned both short-term and long-term. A win-win situation results in everyone benefitting from balanced decisions.
3. ***How will my decision affect how I feel about myself?*** If the board member is not proud of what s/he has done, and would not wish to have others know all of the details behind the decision, then it probably isn't a good decision. This is where personal ethics and professional ethics come together strengthening the commitment to adhere to standards.

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Other precautions apply. With the exception of business related to personnel, litigation or contract negotiations the work of the board and board members is, by law, open to public scrutiny. Trying to hide conflict may only lead to more trouble. Board members should strive to be open and honest in their professional transactions. Reliance on collaborative efforts with colleagues in arriving at mutually agreed to decisions presents a board committed to continuity through a united front. Boards should follow their own board policies and bylaws carefully. These policies have been developed for a reason and circumventing diminishes their importance. Disregarding policies also weakens the overall effectiveness of the board and, by association, individual board members. Here are some reminders school board members should find useful:

Board members should be open and honest in their professional transactions.

- Board members must remember that board policies can never contradict the law or be less than the law but they can, and often are more stringent than the law.
- Board members need to be better informed to insure that ethical decisions are made. Establishing broad-based decision making skills and developing an appreciation for research to help the collective board do a better and more effective job is essential.
- Through affiliations with groups that contribute to the schools instructional program and mission school boards and school board members avoid groups that are politically driven and which aren't particularly concerned with ethical decision making. This is always a good idea.
- Be visible and accountable because the more you interact with staff and community members, the more aware you will be of their perceptions concerning proper conduct.
- Finally, treat fellow board members, staff, and community members equally, respecting their opinions and views. Try to include, not exclude, them in ethical discussions, to widen your knowledge of ethical behavior.

Testing Your Ethical Acumen: How About Bill?

Using the information presented here, let's step back to the scene presented at the beginning of this article to see how Maple Valley's new board member, Bill, might decide how to handle the request of his friend, Charlie. The following are four possible choices Bill could make. Which choice do you believe is best?

A. Call the board chairman to find out about board policy and personal favors before acting or promising anything. Tell your friend you'll get back to him with a decision.

B. Refer your friend to the normal administrative chain of command. Describe the procedures that he can follow to help him press his case.

C. Let your friend use your name with his daughter's teacher because you know that this student should be in advanced placement classes. After all, you are on the board to help serve your constituency.

D. Tell your friend that as an individual board member you are unable to do anything to influence teachers. Your job is to create policy, not to become involved in day-to-day individual situations.

If Bill is uncertain about what action is best in this situation, it would be wise for him to be prudent. Answer A provides him with the kind of cautionary approach he might find useful. Bill will learn from his board chairman that it is unethical for board members to use their position for advancing their friend's causes.

Letting Bill's friend use his name for personal influence should be avoided. Board members should not intrude in daily administrative decision making. As a result, choice C would be highly inappropriate.

Choice D can be a correct one, as far as it goes. However, Bill may want to assist his friend by informing him of the means for assisting his daughter himself, while emphasizing that it would be inappropriate to use Bill's name with teachers and administrators.

The best answer is B. This behavior assists Bill's friend Charlie without compromising his position as a board member. It enables him to be of assistance and reinforces the administrative procedures developed for handling student placement. He must be careful, however, not to intrude any further in this matter.

Conclusion

Thinking ethically is not easy. If it was Diogenes wouldn't have needed to look so long for his "honest man", George Washington wouldn't be revered for telling the truth and board service that pleased everyone, at all times, would be a snap. We know this isn't the case. Concentrating on what is right and what is wrong takes discipline and an awareness of one's environment. Colleagues, students, constituents, and others in the community must be considered in every decision making the job all the more difficult. Self-reflection, patience, and commitment will go a long way toward providing the answers every board member searches for when striving to be both ethical and effective. Most board members will be confronted with situations like the one the fictitious Bill experienced in this article. How they respond will make the difference. ■